

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

IN RE SUBPOENA DUCES
TECUM TO AOL, LLC

2007 NOV -5 P 3: 25

CLERK OF DISTRICT COURT
ALEXANDRIA, VIRGINIA

1:07 mc 34
GBL/BRP

**MOTION BY CORI AND KERRI RIGSBY TO QUASH
SUBPOENA FROM STATE FARM FIRE & CASUALTY CO. TO AOL, LLC**

For the reasons stated in the accompanying memorandum of law, Cori Rigsby and Kerri Rigsby, by counsel, respectfully move pursuant to Fed. R. Civ. P. 45(c)(3)(a)(iii)-(iv) for an order quashing a subpoena dated October 29, 2007, issued through this Court to AOL, LLC, and for sanctions under Fed. R. Civ. P. 45(c), 26(c) and 37(a)(4), 28 U.S.C. § 1927, and the inherent judicial power recognized in *Chambers v. Nasco, Inc.*, 501 U.S. 32 (1991).

Dated: November 5, 2007

Respectfully submitted,



Ellen D. Marcus (Virginia Bar No. 44314)
Michael R. Smith (motion for admission *pro*
hac vice filed herewith)
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Counsel for Cori Rigsby and Kerri Rigsby

CERTIFICATE OF SERVICE

I, Ellen Marcus, hereby certify that on November 5, 2007, I caused a copy of the foregoing Motion By Cori and Kerri Rigsby to Quash Subpoena From State Farm Fire & Casualty Company to AOL, LLC to be electronically mailed to counsel of record and also to be deposited in the United States Mails, first class postage prepaid, addressed for delivery to them, as follows:

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Ellen D. Marcus